

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RUBY F. WASHINGTON,
Plaintiff,

v.

HONEY GROVE NURSING HOME,
Defendant.

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CASE NO. 4:08cv369

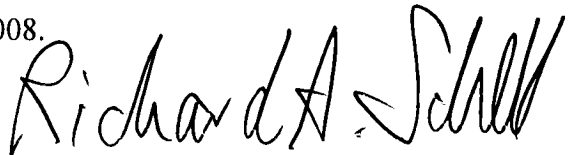
**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND
ORDER DISMISSING CASE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 15, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's claims in this matter be dismissed without prejudice for lack of jurisdiction.

The court has made a *de novo* review of the objections raised by Plaintiff. The court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff do not state a basis for jurisdiction. Therefore, the court adopts the Magistrate Judge's report as the findings and conclusions of the court, and Plaintiffs' claims here are DISMISSED.

IT IS SO ORDERED.

SIGNED this 12th day of Nov., 2008.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE